

UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

MEMBERS:

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi  
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September 8, 2006

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225 Cadman Plaza East  
Brooklyn, NY 11201-1818

Sheryl L. Loesch, Clerk  
300 George C. Young U.S. Courthouse  
80 North Hughey Avenue  
Orlando Fl, 32801

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation (CTO-64)  
Re: MDL-1769 -- In re Seroquel Products Liability Litigation (CTO-6)

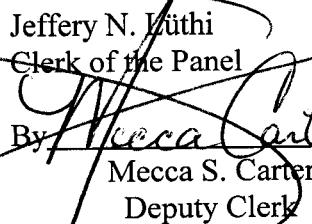
Dear Clerks:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on August 23, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel  
By   
Mecca S. Carter  
Deputy Clerk

Attachment

cc: Transferee Judge:  
Transferor Judges:  
Transferor Clerks:

Judge Jack B. Weinstein  
(See Attached List of Judges)  
(See Attached List of Clerks)

**INVOLVED COUNSEL LIST (CTO-64)  
DOCKET NO. 1596  
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**INVOLVED COUNSEL LIST (CTO-6)  
DOCKET NO. 1769  
IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

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**INVOLVED JUDGES LIST (CTO-64)  
DOCKET NO. 1596  
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**INVOLVED JUDGES LIST (CTO-6)  
DOCKET NO. 1769  
IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

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Hon. Carol E. Jackson  
Chief Judge, U.S. District Court  
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111 South Tenth St., 14th Floor  
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Hon. John T. Maughmer  
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7662 Charles Evans Whittaker U.S. Courthouse  
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Hon. Mary Ann L. Medler  
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Hon. Charles A. Shaw  
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Hon. Ortrie D. Smith  
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Hon. Dean Whipple  
Chief Judge, U.S. District Court  
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**INVOLVED CLERKS LIST (CTO-64)  
DOCKET NO. 1596  
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**INVOLVED CLERKS LIST (CTO-6)  
DOCKET NO. 1769  
IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

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A CERTIFIED TRUE COPY

SEP - 8 2006

ATTEST  
Debra Carter  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

AUG 23 2006

FILED  
CLERK'S OFFICE

DOCKET NOS. 1596 AND 1769

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**MDL-1596 -- IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**MDL-1769 -- IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

(SEE ATTACHED SCHEDULE)

**MDL-1596 CONDITIONAL TRANSFER ORDER (CTO-64)**

**WITH SEPARATION, REMAND AND**

**MDL-1769 CONDITIONAL TRANSFER ORDER (CTO-6)**

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 314 F.Supp.2d 1380 (J.P.M.L. 2004). Since that time, 1,180 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

On July 6, 2006, the Panel transferred 92 civil actions to the United States District Court for the Middle District of Florida for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 206 F.Supp.2d 1365 (J.P.M.L. 2006). Since that time, 18 additional actions have been transferred to the Middle District of Florida. With the consent of that court, all such actions have been assigned to the Honorable Anne C. Conway.

It appears that the actions on this conditional transfer order involve questions of fact that are common to: 1) the actions in MDL-1596 previously transferred to the Eastern District of New York and assigned to Judge Weinstein; and 2) the actions in MDL-1769 previously transferred to the Middle District of Florida and assigned to Judge Conway. Each of these actions comprises two sets of claims, as follows: 1) claims relating to the prescription drug Zyprexa, which involve common questions of fact with the previously transferred MDL-1596 actions; and 2) claims relating to the prescription drug Seroquel, which involve common questions of fact with the previously transferred MDL-1769 actions.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the MDL-1596 transfer order of April 14, 2004, and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

The claims in each action relating to Seroquel are hereby separated and remanded, under 28 U.S.C. § 1407(a), to their respective transferor courts.

Inasmuch as no objection is pending at this time, the stay is lifted.

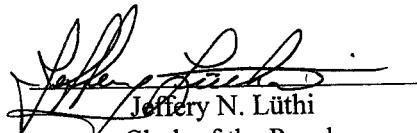
SEP - 8 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), the resulting Seroquel actions are transferred under 28 U.S.C. § 1407 to the Middle District of Florida for the reasons stated in the MDL-1769 transfer order of July 6, 2006, and, with the consent of that court, assigned to the Honorable Anne C. Conway.

This order does not become effective until it is filed in the offices of i) the Clerk of the United States District Court for the Eastern District of New York, and ii) the Clerk of the United States District Court for the Middle District of Florida. The transmittal of this order to said Clerks shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

**SCHEDULE CTO-64 - TAG-ALONG ACTIONS  
DOCKET NO. 1596  
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**SCHEDULE CTO-6 - TAG-ALONG ACTIONS  
DOCKET NO. 1769  
IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
CALIFORNIA NORTHERN CAN 3 06-1329 CAN 4 06-1850	James R. Reardon v. AstraZeneca Pharmaceuticals, LP, et al. <del>Philippe Clavel Oean, et al. v. AstraZeneca Pharmaceuticals, LP, et al.</del> Vacated 8/31/06
MASSACHUSETTS MA 1 06-10730	Jamie Abad, et al. v. AstraZeneca LP, et al.
MISSOURI EASTERN MOE 4 06-1084 MOE 4 06-1085 MOE 4 06-1086 MOE 4 06-1087 MOE 4 06-1090 MOE 4 06-1091	Billie Lambert v. Eli Lilly & Co., et al. Charles Harper v. Eli Lilly & Co., et al. Timothy Gansner v. Eli Lilly & Co., et al. Noe Benevidez v. Eli Lilly & Co., et al. Cathy Guldan v. Eli Lilly & Co., et al. Mark Frike v. Eli Lilly & Co., et al.
MISSOURI WESTERN MOW 4 06-543 MOW 4 06-558 MOW 6 06-3262 MOW 6 06-3263	Nancy Daniels v. Eli Lilly & Co., et al. Mia Lewis v. Eli Lilly & Co., et al. Larry Burns v. Eli Lilly & Co., et al. James Dale Baker v. Eli Lilly & Co., et al.